

NOT FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. THOMAS & ST. JOHN

HEZAKIAH U. SAMUEL, )  
)  
Plaintiff, )  
)  
v. )  
)  
GOVERNOR JOHN P. DEJONGH, )  
MELVIN VANTERPOOL, and the )  
GOVERNMENT OF THE U.S. VIRGIN )  
ISLANDS, )  
)  
Defendants. )

Civil No. 2007-98

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GOVERNOR JOHN P. DEJONGH, )  
MELVIN VANTERPOOL, and the )  
GOVERNMENT OF THE U.S. VIRGIN )  
ISLANDS, )  
)  
Counter-Claimants, )  
)  
v. )  
)  
HEZAKIAH U. SAMUEL, )  
)  
Counter-Defendant. )

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ATTORNEYS:

**Archie Jennings, Esq.**

St. Thomas, U.S.V.I.

*For the plaintiff and counter-defendant.*

**Tamika Archer, Esq.**

St. Thomas, U.S.V.I.

*For the defendants and counter-claimants.*

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**ORDER**

**GÓMEZ, C.J.**

On July 17, 2008, defendants Governor John P. Dejongh, Melvin Vanterpool, and the Government of the U.S. Virgin Islands (collectively, the "Defendants") filed a motion for summary judgment against the plaintiff Hezakiah U. Samuel ("Samuel"). The motion was accompanied by a Memorandum of Points and Authorities.

Local Rule of Civil Procedure 56.1(a)(1) provides, in part, that summary judgment motions shall be accompanied by "a separate statement of the material facts about which the movant contends there is no genuine issue." LRCi 56.1(a)(1). That rule also provides that "[e]ach fact paragraph shall be serially numbered and shall be supported by specific citation to the record." *Id.*

The Defendants' motion neither includes nor is accompanied by a separate statement of material facts.

The premises considered, it is hereby

**ORDERED** that the Defendants' motion for summary judgment is **DENIED** without prejudice.

S\\_\_\_\_\_  
**CURTIS V. GÓMEZ**  
**Chief Judge**